

Minority Media and Telecommunications Council

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November 11, 2011

Marlene Dortch, Esq., Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

RE: Notice of *Ex Parte* Communication, MB Docket No. 09-182 (2010 Quadrennial Review)
and MB Docket No. 07-294 (Diversity Proceeding)

Dear Ms. Dortch:

This reports on a series of phone calls on November 10, 2011. The first call was among Commissioner Michael Copps, Joshua Cinelli, Legal Advisor, and myself. The second call was among Austin Schlick, General Counsel, Mark Lloyd, Associate General Counsel and Chief Diversity Officer, and myself. The third call was among Commissioner Robert McDowell, Erin McGrath, Legal Advisor, and myself.

In the calls, I recommended that in the forthcoming Omnibus Media Ownership FNPRM,¹ the Commission propose to adopt the long-pending Incubator Proposal² in response to remands in three civil rights cases.³

Respectfully submitted,

David Honig

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President and Executive Director

¹ See Jonathan Make, FCC Eyes Cross-Ownership Waivers, Proposed End to Radio/TV Common Ownership Bar, *Communications Daily*, p.1-2 (November 9, 2011).

² See also MMTTC Ex Parte Letter re: MB Docket No. 07-294 *et al.* (Sept. 28, 2011) (describing the proposal), available at <http://fjallfoss.fcc.gov/ecfs/document/view?id=7021711655> (last visited Nov. 10, 2011).

³ See *Prometheus Radio Project v. FCC*, 373 F.3d 372 (3rd Cir. 2004); *Council Tree Communications v. FCC*, 619 F.3d 235 (3rd Cir. 2010); *Prometheus Radio Project v. FCC*, 652 F.3d 431 (3rd Cir. 2011).